

At the Regular Meeting of the Greenville County Board of Supervisors, held on Tuesday, September 4, 2012, with Closed Session beginning at 3:00 P.M., and Regular Session beginning at 6:00 P.M., in the Board Room of the Greenville County Government Building, 1781 Greenville County Circle, Emporia, Virginia.

Present Peggy R. Wiley, Chairman
 Michael W. Ferguson, Vice-Chairman
 James C. Vaughan
 Dr. Margaret T. Lee

Chairman Wiley called the meeting to order at 3:00 P.M.

In Re: Closed Session

Mr. Whittington, County Administrator, stated that Staff recommended the Board go into Closed Session, Section 2.2-3711 (a) 1) Personnel, 3) Acquisition and Disposition of Real Property, 5) Industrial Development and 7) Legal Matters.

Supervisor Lee moved, seconded by Supervisor Ferguson, to go into Closed Session, as recommended by Staff. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: Regular Session

Supervisor Ferguson moved, seconded by Supervisor Vaughan, to go into Regular Session. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: Certification of Closed Meeting – Resolution #13-30

Supervisor Ferguson moved, seconded by Supervisor Lee, to adopt the following Resolution. A roll call vote was taken, as follows: Supervisor Ferguson, aye; Supervisor Lee, aye; Supervisor Vaughan, aye; and Chairman Wiley, aye.

RESOLUTION #13-30
CERTIFICATION OF CLOSED MEETING

WHEREAS, the Greenville County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Greenville County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Greenville County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Greenville County Board of Supervisors.

Chairman Wiley recessed the meeting until the Conclusion of the Water and Sewer Authority Meeting.

Chairman Wiley reconvened the meeting at 6:00 p.m.

In Re: Approval of Agenda

Mr. Whittington, County Administrator, stated that Staff recommended approval of the agenda with no added items.

Supervisor Ferguson moved, seconded by Supervisor Lee, to approve the Agenda as submitted. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: Approval of Consent Agenda

Mr. Whittington stated that Staff recommended approval of the Consent Agenda.

Supervisor Ferguson moved, seconded by Supervisor Lee, to approve the Consent Agenda containing the following items. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

Minutes from the Meeting of August 20, 2012.

Budgetary Matters:

Budgetary Matters consisting of the following: Fund #001 – Journal Voucher #9, in the amount of \$106.01; Fund #012 - Re-Appropriations Resolution #13-31, in the amount of \$14,392.83, and Budget Amendment Resolution #13-32, in the amount of \$3,825.54; Fund #13 - Budget Amendment Resolution #13-33, in the amount of \$102.90; Fund #018 – Re-Appropriations Resolution #13-34, in the amount of \$51.35 and Budget Amendment Resolution #13-35, in the amount of \$1,749.00; Fund #075 – Journal Voucher #1, in the amount of \$992.50, all of which are incorporated herein by reference.

Warrants:

Approval of Accounts Payable for September 4, 2012, in the amount of \$123,382.16

Approval of Payroll for August 31, 2012, in the amount of \$368,013.78

In Re: VACo 2012 Achievement Award

Mr. Beau Blevins with the Virginia Association of Counties addressed the Board of Supervisors and stated that he was before them with good news and congratulations. He stated that the County had been awarded the VACo 2012 Achievement Award in the category of Economic Development and Community Development for the Southside Virginia Education Center. Mr. Blevins then gave the Board background information pertaining to VACo's award process. He stated that this year there were 37 entries of the competitive award with 11 winners and Greenville County winning the Economic Development/Community Development category for the Education Center. Mr. Blevins thanked the County for a job well done and stated that it was a pleasure to give Greenville County the VACo 2012 Achievement Award. Pictures were taken.

In Re: Citizens Comments

Mr. Whittington invited anyone present who wished to address the Supervisors, to come forward and state their name for the record. There was no one.

In Re: Virginia Enterprise Zone Application Resolution #13-36

Mrs. Natalie Slate, Director of Economic Development, addressed the Board of Supervisors stating that Resolution #13-36 involved the City of Emporia and Greenville County to submit an application for a joint Virginia Enterprise Zone. She stated that the program was housed through the Virginia Department of Housing and Community Development. She also stated that Greenville County currently had an enterprise zone solely in the County that would expire in two years. Mrs. Slate stated that there were only 30 allowed within the State and as they expired, there was a competitive application for any new or renewed zones. She then stated that the City and County together would like to offer incentives to any development within the enterprise zone to entice the industries and business coming in to build-out the area the City and County wanted build-out according to the Comp Plan and the Economic Development Strategic Plan. Mrs. Slate stated that the following resolution would allow staff to submit the application and appoint the economic developer for Greenville County to be the zone administrator working very closely with the City's representative.

**RESOLUTION #36
VIRGINIA ENTERPRISE ZONE APPLICATION**

WHEREAS the City of Emporia and the County of Greenville have moved forward with joint economic development through the participation in the Trans Tech Alliance; and,

WHEREAS the County of Greenville supports the need for an Enterprise Zone and desires to apply for a joint zone with the City of Emporia; and,

WHEREAS each jurisdiction has completed a Joint Application Agreement.

NOW THEREFORE, BE IT RESOLVED the Greenville County Board of Supervisors authorizes Greenville County to act as the program administrator of the zone.

NOW THEREFORE, BE IT FURTHER RESOLVED that the County Economic Development Director is hereby authorized submit all information necessary for the application and to carry out all program administrative and reporting requirements on their behalf throughout the life of the zone.

Supervisor Ferguson moved, seconded by Supervisor Lee, to approve Resolution #13-36. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: Approval of a Support Agreement with the Southside Regional Jail Authority
Resolution #13-37

Mr. Whittington stated that the resolution was requested from the Southside Regional Jail Authority due to refinancing of \$8 million worth of existing debt in order to secure a lower interest rate. He stated that it would save the City and County \$40,000 annually in reduced debt service payments but the debt service term would remain the same. He then stated that a support agreement that was prepared by bond council of the Southside Regional Jail Authority was required because of the two members of the SRJ Authority for the City and County. He also stated that it was reviewed by the County's Bond Attorney, Christian & Barton, and they saw no problems with the approval of the following resolution and the support agreement.

**RESOLUTION #13-37 OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF GREENSVILLE, VIRGINIA
APPROVING A SUPPORT AGREEMENT WITH THE
SOUTHSIDE REGIONAL JAIL AUTHORITY**

WHEREAS, the City of Emporia, Virginia (the "City") and the County of Greenville, Virginia (the "County") are currently the sole member jurisdictions (the "Member Jurisdictions") of the Southside Regional Jail Authority (the "Authority"), which currently owns and operates a regional jail facility (the "Project") for the benefit of the Member Jurisdictions that was financed in part through the issuance of the Authority's \$7,960,000 Regional Jail Facility Revenue Bonds, Series 1997 (the "1997 Bonds") pursuant to a Master Indenture of Trust, dated as of November 1, 1997 (the "Master Indenture"), between the Authority and Crestar Bank (now U.S. Bank National Association), as trustee (the "Trustee"), and a First Supplemental Indenture of Trust, dated as of November 1, 1997, between the Authority and the Trustee; and

WHEREAS, the Authority refunded the outstanding principal balance of the 1997 Bonds through the issuance of its \$6,335,900 Regional Jail Facility Revenue Refunding Bond, Series 2005 (the "2005 Bond") and now proposes to undertake the refinancing of the Project to obtain interest cost savings by issuing its regional jail facility revenue refunding bond in an aggregate principal amount not to exceed \$4,625,000 (the "2012 Bond") to refund the 2005 Bond and pay the costs of issuance; and

WHEREAS, the Authority solicited responses to a request for proposals from banking institutions for the purchase of the 2012 Bond, and SunTrust Bank (the "Bank") has been selected as the winning bidder; and

WHEREAS, the principal of, premium, if any, on and interest on the 2012 Bond (such items being collectively referred to as "Debt Service") are to be paid by the Authority from the trust estate established in Section 2.1 of the Master Indenture; and

WHEREAS, as additional security for the payment of the 2012 Bond, the City is agreeing to pledge its full faith and credit and taxing power to the payment of the Debt Service on the 2012 Bond; and

WHEREAS, as additional security for the payment of the 2012 Bond, the Bank desires that the County agree to provide funds, subject to annual appropriation, if necessary for the payment of the Debt Service on the 2012 Bond, such agreement to be set forth in a Support Agreement, dated as of September 1, 2012 (the "Agreement") between the County and the Authority, as the County had previously agreed to do with respect to the payment of debt service on the 2005 Bond; and

WHEREAS, the Agreement has been presented to the Board of Supervisors of the County (the "Board") in substantially final form;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF GREENSVILLE, VIRGINIA:

Form and Authorization of Agreement. The Agreement is hereby approved, with such variations, insertions, changes or deletions (including without limitation changes to the date thereof) as may be approved by the Chairman or the Vice Chairman of the Board. The execution and delivery of the Agreement are hereby authorized.

Execution and Delivery of Agreement. The Chairman and the Vice Chairman of the Board, either of whom may act, are each authorized and directed to execute the Agreement on behalf of the County. The Clerk and Deputy Clerk of the County, either of whom may act, are each authorized and directed to affix the seal of the County to the Agreement (if required) and to attest it and then to deliver the Agreement to the Authority.

Concurrence with Issuance of 2012 Bond. The Board concurs with the decision of the Authority to issue the 2012 Bond to refund the 2005 Bond.

Further Actions. The Chairman and the Vice Chairman of the Board and other officers and agents of the County, including the County Administrator, are authorized and directed to take such further actions as they deem necessary regarding the execution and delivery of the Agreement including, without limitation, the execution and delivery of any closing documents and certificates with respect to the issuance of the 2012 Bond by the Authority. All such actions previously taken by the Chairman, Vice Chairman, County Administrator or such officers and agents are hereby approved, ratified and confirmed.

Limitation of Liability of Officials of the County. No covenant, condition, agreement or obligation contained herein shall be deemed to be a covenant, condition, agreement or obligation of an officer, employee or agent of the County in his or her individual capacity, and no officer of the County executing the Agreement shall be liable personally on the Agreement or be subject to any personal liability or accountability by reason of the execution and delivery thereof.

Effective Date. This Resolution shall take effect immediately.

Supervisor Ferguson moved, seconded by Supervisor Lee, to approve Resolution #13-37. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: Industrial Development Authority Board Appointments

Chairman Wiley opened the floor for nominations of three individuals to serve on the Industrial Development Authority Board beginning October 1, 2012 until September 30, 2016.

Supervisor Ferguson moved, seconded by Supervisor Lee, the reappointments of Danny Rook and Robin Whitman. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

Chairman Wiley stated that she would try and contact Traci Morris for reappointment to the Industrial Development Authority Board.

In Re: Miscellaneous Matters

Various Departmental Reports and Staff Work Programs were prepared for the Board's review and comments.

Chairman Wiley asked if anyone had any questions. There were none.

In Re: Introduction of the Debra Clements as the Director of Southside Community Corrections and Pretrial Services

Mr. Whittington asked that Debra Clements come forward and then introduced her as the new Director of Southside Community Corrections and Pretrial Services.

The Board of Supervisors welcomed Mrs. Clements aboard and she thanked them for giving her the opportunity.

In Re: Adjournment

With there being no further business, Supervisor Ferguson moved, seconded by Supervisor Vaughan, to adjourn the meeting. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

Peggy R. Wiley, Chairman

K. David Whittington, Clerk